

**REMARKS**

In accordance with the foregoing, claims 3 and 4 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 3 and 4 are pending and under consideration. Reconsideration is requested.

**ENTRY OF AMENDMENT UNDER 37 C.F.R. § 1.116:**

Applicant requests entry of this Rule 116 Response because the amendments of claims 3 and 4 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

**REJECTION UNDER 35 U.S.C. § 112:**

In the Office Action, at page 2, claims 3 and 4 are rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

In response, the claims have been amended to improve clarity and antecedent support, and thereby in compliance with 35 U.S.C. § 112, second paragraph. Support for "wherein the software tool incorporates selected groups of said type-specific data groups of the first object into the second object at a beginning of an access to the second object, said selected type-specific data groups being indicated by said attributes of said attribute list," recited in independent claim 3 may be found, for instance, on page 3, lines 1-18.

Accordingly, it is respectfully requested that the 35 U.S.C. § 112, second paragraph, rejections of the claims be withdrawn.

**REJECTION UNDER 35 U.S.C. § 102:**

In the Office Action, at page 5, claims 3 and 4 are rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 5, 822,587 to McDonald ("McDonald"). This rejection is traversed and reconsideration is requested.

According to McDonald, methods are declared as being applicable to a specified shape, but not necessarily to a particular object, a collection of properties. A programmer (he or she) needs only compare the shape of the object and the shape of the method. See column 9, line 65, to column 10, line 35. Further, McDonald allows a single object to be contained in or derived from multiple parent objects and allows a programmer to specify by declaration which Facet<sup>TM</sup>-type property subgroups of a child project will be inherited from each of the parent objects, thereby increasing the granularity and flexibility of inheritance. See column 22, line 58, to column 23, line 25. The object would inherit just the required properties from the relevant parent.

However, McDonald fails to teach or suggest, "a second object in a form of an instance, having instance-specific data groups and an attribute list, the first object being a model for the second object and the attribute list having attributes associated with said type-specific data groups in said first object," as recited in independent claim 3. McDonald merely refers to a single object derived from multiple parent objects that include a collection of properties. McDonald does not teach or suggest that the collection of properties includes instance-specific data groups and an attribute list nor that "the attribute list having attributes associated with said type-specific data groups in said first object," as recited in independent claim 3.

Furthermore, McDonald indicates that a programmer needs to make the comparison between the shape of the object and the shape of the method and that the programmer needs to specify the Facet<sup>TM</sup>-type property subgroups of a child project that will be inherited from each of the parent objects. McDonald is silent as to teaching or suggesting, "wherein the software tool incorporates selected groups of said type-specific data groups of the first object into the second object at a beginning of an access to the second object, said selected type-specific data groups being indicated by said attributes of said attribute list," as recited in independent claim 3.

In addition, McDonald describes that to inherit a property value, object memory structure 206 of the child object contains a pointer to the value stored in object memory structure 206 of the parent object. See column 25, lines 54-64. However, nothing in the cited reference teaches or suggests that "the software tool incorporates selected groups of said type-specific data groups of the first object into the second object at a beginning of an access to the second object," as recited in independent claim 3. Rather, according to McDonald, a user of an

application can overrule an inherited value by replacing the pointer to the parent object property 208 with an actual value or with a pointer to a new value. Further, McDonald is silent as to teaching or suggesting, "said selected type-specific data groups being indicated by said attributes of said attribute list," as recited in independent claim 3.

Contrary to the recitations of independent claim 3, reciting "the software tool incorporates selected groups of said type-specific data groups of the first object into the second object at a beginning of an access to the second object, said selected type-specific data groups being indicated by said attributes of said attribute list," according to McDonald, property values are inherited by setting the values in object memory structure 246 to point to the corresponding property in the parent object. When an attempt is made to set the value of a property in a child, the system can let the value be set, thereby removing the link to the parent property value, not allow the property to be set, thereby insisting on the inheritance; or change the value in the parent, thereby allowing the parent to inherit from the child. See column 26, lines 26-36.

Nothing in McDonald teaches or suggests incorporating selected groups of said type-specific data groups of the parent into the child, at a beginning of an access to the child. McDonald does not teach or suggest the selected type-specific data groups of independent claim 3 by indicated by attributes of an attribute list.

In view of the foregoing, it is respectfully asserted that McDonald fails to teach or suggest all the recitations of independent claim 3. It is respectfully requested that independent claim 3 and dependent claim 4 be allowed.

### **CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot and further, that all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, the application is submitted as being in condition for allowance, which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal, since it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner's contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.


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If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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